

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
SCOTTISH GOVERNMENT CIRCULAR 1/2017**

RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A PLANNING APPLICATION (17/01354/APP) SUBMITTED WITHOUT AN EIA REPORT. THE PROPOSED DEVELOPMENT FALLS WITHIN THE SCOPE OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 AND MUST THEREFORE BE CONSIDERED IN TERMS OF THE NEED TO BE ACCOMPANIED BY AN EIA REPORT.

THE PROPOSED DEVELOPMENT SITE IS LOCATED AT FORMER NURSERY SCHOOL, COALPOTS ROAD, GIRVAN, SOUTH AYRSHIRE

The proposal is for the change of use of a former nursery site to form a travellers' site and erection of associated travellers' accommodation at the Former Nursery School, Coalpots Road, Girvan. The proposed development site extends to approximately 0.69 hectares. The proposal is Schedule 2 development under the terms of the above Regulations (qualifying under category 10(b)) and must therefore be screened in order to determine whether the proposal constitutes 'EIA development'.

This determination is referred to as a '**screening opinion**'. In each case, the basic question to be asked is: 'would this particular development be likely to have significant effects on the environment?'

For many, perhaps most, types of development, its characteristics require consideration in combination with its proposed location in order to identify the potential for interactions between a development and its environment and therefore determine whether there are likely to be significant environmental effects. In determining whether a particular development is likely to have such effects, the Council has taken account of the selection criteria in Schedule 3 to the Regulations (reproduced at Annex A to Circular 1/2017). Three categories of criteria are listed:-

- Characteristics of the development
- Location of the development
- Characteristics of the potential impact

Consideration of the third of these categories is designed to help in determining whether any interactions between the first two categories (i.e. between a development and its environment) are likely to be significant.

The content of this checklist meets the requirements of the Town and Country Planning (Environment Impact Assessment) (Scotland) Regulations 2017 – Schedule 3 selection criteria for screening Schedule 2 development.

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
1. Characteristics of development			

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
(a) Size and design of the development			
Will the development be out of scale with the existing environment?	Yes	The proposed structures will introduce permanent built form to a vegetated, albeit brownfield, site physically separated from Girvan by the railway	No, it is not considered the proposal scale is such that it would give rise to significant environmental effects.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	Whilst the site is brownfield, there will be provision of services to the site required anew / to be reinstated, and means of access to be upgraded / made good	No, the size of the site and scale of proposed works are indicative of an unlikelihood of significant effects.
(b) Cumulation with other existing/approved development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No	N/A	
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	No	N/A	
(c) Use of natural resources			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <ul style="list-style-type: none"> • water or fisheries? • minerals or aggregates? • agriculture, forests and timber? • energy including electricity and fuels? • any other resources? 	Yes	The proposed development will utilise energy, both in the construction and operation of the proposed facility.	No.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Wastes will be producing during construction and occupation / operation of the development site.	No, this should managed within the scope of any construction contract and the Council as custodians of the site when in operation will have waste management procedures in place.
(e) Pollution and nuisances			

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction, operation or decommissioning?	Yes	There will be noise during the construction of the proposed facility; these works will be temporary. There will be residential-scale noise, light and heat energy emitted consequent to site occupation.	No, as observed post-construction effects should be equivalent to and reflective of the residential character of the site; while any adverse effects should be managed by SAC's Environmental Health service.
(f) Risk of major accidents and/or disasters relevant to project concerned (including climate change-caused)			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	During construction there will be heavy machinery, transport and construction equipment/materials on site which all present danger and accident hazard	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice
(g) Risks to human health			
Will construction or operation of the development give rise to risks to human health, for example due to: <ul style="list-style-type: none"> • water contamination? • Air pollution? 	Yes	During construction there will be air pollution arising from dust generation on site.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice. Risks will be localised and temporary.
2. Location of the Development			
(a) Existing and approved land use			
Are there existing land uses on or around the location which could be affected by the development, e.g. undeveloped land, greenfield land, homes, other private property, industry, commerce, tourism and recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	Yes	Immediately adjacent land is in agricultural use, while the western site is bounded by a railway line and bridge. Residential uses predominate beyond the latter.	No. Whilst rainwater shedding from building footprints / roofs and hardstandings formed on-site all contribute to the likelihood of greater run-off from the site to adjacent land, effects are not likely to be significant given the low density and small scale of development, and the agricultural character of adjacent land
(b) Relative abundance, quality and regenerative capacity of natural resources in the area / underground			
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?	No	N/A	
(c) Absorption capacity of the natural environment			
Are there any wetlands, riparian areas or river mouths which may be affected?	No	N/A	
Are there costal zones / marine environment receptors which may be affected?	No	N/A	

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
Are there any nature reserves and parks which may be affected?	No	N/A	
Are there any European sites or other areas classified or protected under national legislation, which may be affected?	No	N/A	
Does the location include or affect areas in which there has already been a failure to meet relevant environmental quality standards (laid down in Union legislation and relevant to the project), or in which it is considered that there is such a failure?	No	N/A	
Is the development in a location where it is likely to be highly visible to many people?	Yes	The contours of the site are such that rises above the B7035 that bounds it to the south, increasing its visibility particularly from westbound travel	No, given the low density and low massing of the development, the eastbound screening afforded by the railway bridge and the intention to enhance vegetation
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	Yes	The application site forms part of the LDP-designated 'scenic area'	No, given the minor size of the application site and its immediate proximity to the Girvan settlement boundary

Conclusions

The checklist is a useful tool for the purposes of identifying the wide range of environmental receptors which could be affected by proposed development. The main effects arising from the checklist are:

- Development scale and visual prominence / landscape effect, insofar as set outwith settlement and within the LDP Scenic Area (albeit brownfield site)
- Air and noise pollution associated with the construction phase
- Noise / light pollution and waste generation as arising from occupation of the site, and periodic/limited impact of same upon residential receptors
- Energy consumption and waste generation pursuant to the ongoing occupation of the site
- Water run-off as likely to arise from the proposals' reduction of the site's existing absorption capacity
- Periodic and/or limited impact upon residential receptors within reasonable proximity of the application site

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes (with particular reference to the justification outlined above) that the proposed development at Former Nursery School, Coalpots Road, Girvan, South Ayrshire – as shown on the map attached to this document – is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.

